

REMARKS

The Present Invention

The present invention is directed to a lipoxygenase from *Cucumis sativus* comprising the amino acid sequence of SEQ ID NO: 1 with a substitution of one or more recited amino acids of SEQ ID NO: 1.

The Pending Claims

Claims 21 and 23-25 are pending and are directed to the lipoxygenase described above.

The Amendments to the Specification and Abstract

A sequence listing (paper and computer readable copies) and certification for the amino acid sequence set forth at Fig. 5 (SEQ ID NO: 1), the amino acid sequences set forth at paragraph [0013] (SEQ ID NO: 2 and SEQ ID NO: 3), and the nucleic acid sequences set forth at paragraph [0035] (SEQ ID NO: 4 and SEQ ID NO: 5) of the specification are submitted concurrently herewith. The specification has been amended to include reference to SEQ ID NOS: 2-5. Accordingly, the amendments to the specification add no new matter to the application.

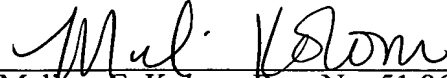
The Office Action

The Office Action indicates that the "Response to Office Action" dated April 30, 2004 was not fully responsive. Specifically, the amino acid sequences set forth in the specification at lines 1 and 3 of paragraph [0013] are not identified by SEQ ID numbers. Applicants submit herewith a revised sequence listing (paper and computer readable copies), which includes the omitted amino acid sequences.

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned agent.

In re Appln. of Feussner et al.
Application No. 09/937,908

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Mel. Kolom", written over a horizontal line.

Melissa E. Kolom, Reg. No. 51,860
LEYDIG, VOIT & MAYER, LTD.
Two Prudential Plaza, Suite 4900
180 North Stetson Avenue
Chicago, Illinois 60601-6780
(312) 616-5600 (telephone)
(312) 616-5700 (facsimile)

Date: September 7, 2004